

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0141-20\_\_

SPONSOR: Edison J. Wauneka

**TITLE: An Action Relating To Budget And Finance And NAABIK'IYATI' Committees, And Navajo Nation Council; Approving Supplemental Funding From The Unreserved, Undesignated Fund Balance In The Total Amount Of Four Hundred Forty-Seven Thousand One Hundred And Sixty-Six Dollars (\$447,166) To The Navajo Election Administration Office; Waiving 12 N.N.C. §§ 820 (E) And 820 (F) Of The Appropriations Act**

***Date posted: June 26, 2020 at 7:00 PM***

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Written comments may be mailed to:

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515  
(928) 871-7586

**Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.**

**Please note:** This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**LEGISLATIVE SUMMARY SHEET**

Tracking No. 0141-20

**DATE:** June 18, 2020

**TITLE OF RESOLUTION: AN ACTION RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES, AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-SIX DOLLARS (\$447,166) TO THE NAVAJO ELECTION ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE APPROPRIATIONS ACT**

**PURPOSE:** The purpose of this resolution is approve the \$447,166 in supplemental funding to the Navajo Election Administration.

**This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.**

5-DAY BILL HOLD PERIOD: Hudson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 07-01-20  
Eligible for Action: 07-02-20

Budget & Finance Committee  
Thence  
Naabik'iyáti' Committee  
Thence  
Navajo Nation Council

1 PROPOSED NAVAJO NATION COUNCIL RESOLUTION  
2 24th NAVAJO NATION COUNCIL – Second Year, 2020

3  
4 INTRODUCED BY

5  
6 \_\_\_\_\_  
7 (Prime Sponsor)



8  
9 TRACKING NO. 0141-20

10  
11 AN ACTION

12 RELATING TO BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES,  
13 AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING  
14 FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE TOTAL  
15 AMOUNT OF FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED  
16 AND SIXTY-SIX DOLLARS (\$447,166) TO THE NAVAJO ELECTION  
17 ADMINISTRATION OFFICE; WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) OF THE  
18 APPROPRIATIONS ACT

19  
20 BE IT ENACTED:

21  
22 SECTION 1. AUTHORITY

- 23 A. The Budget and Finance Committee is empowered to review and recommend to the  
24 Navajo Nation Council the budgeting, appropriation, investment and management of all  
25 funds. 2 N.N.C. §301 (B)(2).  
26 B. A proposed resolution that requires final action by the Navajo Nation Council shall be  
27 assigned to the Naabik'iyáti' Committee. 2 N.N.C. §§ 164 (A)(9).  
28 C. The Navajo Nation Council is the governing of body of the Navajo Nation. 2 N.N.C. §  
29 102(A).  
30

1 D. The Navajo Nation Council has the authority to approve supplemental appropriations. 12  
2 N.N.C. § 820(L). Pursuant to 12 N.N.C. § 820 (L), “[t]he Navajo Nation Council may  
3 adopt and approve supplemental appropriations to the Annual Comprehensive Budget  
4 during the fiscal year. Supplemental appropriations of General Funds within the current  
5 fiscal year are permitted, if and when additional sources of revenues above and beyond  
6 the initial or current revenue projections are projected and which are also in excess of the  
7 reserve amount set forth at § 820(J).”

8 E. The Title 12 Finance Act Supplemental Appropriation requirements include:

- 9 1. All requests for annual operating funds and supplemental funds shall be submitted  
10 to the Office of Management and Budget for budget impact analysis. 12 N.N.C.  
11 § 820(M).
- 12 2. When the Controller identifies additional sources of revenues above and beyond  
13 the initial or current revenue projections, supplemental appropriations may be  
14 approved by the Navajo Nation Council. 12 N.N.C. § 820(L).
- 15 3. Supplemental Appropriations made from non-recurring revenues shall only be  
16 made for non-recurring operations or purposes, as set forth at § 820(F). The  
17 Controller of the Navajo Nation shall be responsible for designation recurring and  
18 non-recurring revenues. 12 N.N.C. § 820(L).
- 19 4. The Nation shall budget all recurring operating expenses, including capital  
20 maintenance, from recurring revenues. Long term debt shall not be used to finance  
21 recurring operating expenses. 12 N.N.C. §820(E).
- 22 5. The Navajo Nation Code provides, “[t]he Nation shall restrict non-recurring  
23 revenues to budget non-recurring expenditures. In addition, non-recurring revenues  
24 will be budgeted only after an examination by the Controller to determine whether  
25 or not the revenues are subsidizing an imbalance between recurring revenues and  
26 expenditures, and expenditures may be authorized only if a long-term (three-five  
27 year) forecast shows that the operating deficit will not continue. Otherwise, non-  
28 recurring revenues will be added to the Unreserved, Undesignated Fund balance.  
29 This provision may be amended or waived by a two-thirds vote of the full Navajo  
30 Nation Council.” 12 N.N.C. § 820(F).

1  
2 **SECTION 2. FINDINGS**

- 3 A. The Navajo Election Administration Office has requested a supplemental  
4 appropriation for the purpose of holding elections throughout the Navajo Nation.  
5 B. The supplemental funding will fund payments to poll officials, election supplies,  
6 printing ballots, postage for absentee ballots, photocopying, hardware installation,  
7 tabulator parts and supplies, catering for poll workers, and advertising.  
8 C. This supplemental appropriation is requested in the total amount of Four Hundred  
9 Forty-Seven Thousand One Hundred and Sixty-Six Dollars (\$447,166). The budget  
10 documents are attached as **Exhibit A**.  
11 D. The budget forms have been presented to the Office of Budget and Management and  
12 is awaiting the required review in accordance with 12 N.N.C. 820 (M).  
13 E. The budget forms have been presented to the Office of the Controller and is awaiting  
14 the required review in accordance with 12 N.N.C. § 820 (L).

15  
16 **SECTION 3. WAIVING 12 N.N.C. §§ 820 (E) AND 820 (F) REGARDING**  
17 **MATCHING RECURRING REVENUES WITH RECURRING EXPENSES (12**  
18 **N.N.C. § 820(E)) AND LIMITING THE APPROPRIATION OF FUNDS FROM**  
19 **THE UNRESERVED, UNDESIGNATED FUND TO NON-RECURRING**  
20 **EXPENDITURES (12 N.N.C. § 820(F))**

21 The Navajo Nation Council hereby waives 12 N.N.C. §§ 820 (E) and 820 (F) in order to  
22 allow UUFB funds to be used for recurring expenditures.  
23

24 **SECTION 4. APPROVING SUPPLEMENTAL FUNDING FROM THE**  
25 **UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF**  
26 **FOUR HUNDRED FORTY-SEVEN THOUSAND ONE HUNDRED AND SIXTY-**  
27 **SIX DOLLARS (\$447, 166) TO THE NAVAJO ELECTION ADMINISTRATION**  
28 **OFFICE**

- 29 A. This supplemental appropriation of \$447,166 shall be from that amount of funds that  
30 exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

determined by the Office of the Controller and as indicated the documents in **Exhibit A.**

B. The Navajo Nation hereby approves supplemental funding from the Unreserved, Undesignated Fund Balance in the amount of \$447,166 for emergency funds as indicated in the documents in **Exhibit A.**